

MINUTES OF THE MEETING
OF THE
BOARD OF DENTISTRY

July 17, 2015

ROLL CALL

The meeting of the Board of Dentistry was called to order at 8:31 a.m. by Terry Wilwerding, DDS, Chairperson, in the Lighthouse Room at the Country Inn and Suites, located at 5353 N 27th Street, Lincoln, Nebraska. The Agenda and Revised Agenda (revised more than 24 hours prior to the commencement of the meeting and posted/available for public inspection at the Board's office more than 24 hours prior to the meeting) were sent to the Board members and other interested parties prior to the meeting. The following members answered the roll call:

Terry Wilwerding, DDS, Chairperson
Dennis Anderson, DDS, Vice-Chairperson
Cynthia Gaskill, RDH, Secretary
John Thomas, DMD
Joan Sivers, DDS
Mary Sneckenberg
Charles Bauer, DDS

Absent: Robert M. Hinrichs, DDS
 Lisa Kucera, RDH
 Gregory Thomas, JD

Also present were: Kathie Lueke, Program Manager; Vonda Apking, Health Licensing Coordinator; Lisa Anderson, Assistant Attorney General; Ed Vierk, Assistant Attorney General; and Jeff Newman, Investigator; Denis Scott, Investigator; and Larry Wiehn, Investigator.

Wilwerding announced that there is a copy of all the public documents being reviewed at this meeting available in the meeting room pursuant to the Open Meetings Act.

ADOPTION OF AGENDA

Anderson moved, seconded by J. Thomas, to adopt the Agenda with the ability for the Chairperson to rearrange as necessary. Voting aye: Anderson, Bauer, Gaskill, Sivers, Sneckenberg, G. Thomas, J. Thomas, Wilwerding. Voting nay: None. Absent: Hinrichs, Kucera, G. Thomas. Motion carried.

APPROVAL OF MINUTES

April 10, 2015

Anderson mentioned that the minutes should reflect that Anderson is Vice-Chairperson not Hinrichs.

Gaskill moved, seconded by Sneckenberg, to approve the April 10, 2015, minutes as corrected. Voting aye: Anderson, Bauer, Gaskill, Sivers, Sneckenberg, G. Thomas, J. Thomas, Wilwerding. Voting nay: None. Absent: Hinrichs, Kucera, G. Thomas. Motion carried.

WESTERN REGIONAL EXAMINING BOARD (WREB) PRESENTATION

Jerri Donahue, DDS, and Kelly Reich, RDH, from WREB presented to the Board regarding the background and examination parts for both the Dental and Dental Hygiene clinical examination offered by WREB. Dr. Donahue explained that WREB's goal is to make the examination less stressful for the candidates. The dental examination's pass rate average is 95%. The examination includes an operative section, a periodontal section, and an endodontic section. Dr. Donahue mentioned that if any of the Board members would like to observe a WREB examination please contact WREB. Ms. Reich explained that WREB offers a clinical dental hygiene examination, a local anesthesia examination, and a restorative examination. The dental hygiene examination's pass rate is 95%. The dental hygiene examination includes identifying one quadrant and up to an additional four teeth for a total of 12 deposits, patient radiographs and evaluating the dental hygienists probe record, recession record, calculus removal, tissue management, and professional judgment. Gaskill questioned whether the dental hygienists are required to provide an oral assessment. Ms. Reich also invited the Board member an opportunity to observe a dental hygiene examination. The Board thanked Dr. Donahue and Ms. Reich for their presentation.

INVESTIGATIONAL REPORTS AND APPLICATION REVIEW – CLOSED SESSION

Sneckenberg moved, seconded by Gaskill, to go into closed session at 9:38 a.m. for the purpose of hearing investigational reports, probation compliance monitoring reports, and application review. Voting aye: Anderson, Bauer, Gaskill, Sivers, Sneckenberg, J. Thomas, Wilwerding. Voting nay: None. Absent: Hinrichs, Kucera, G. Thomas. Motion carried.

Anderson recused himself from the meeting at 10:15 a.m.
Anderson returned to the meeting at 10:22 a.m.

Kucera joined the meeting at 10:23 a.m.

Kucera recuse herself from the meeting at 10:37 a.m.
Kucera returned to the meeting at 10:38 a.m.

Sneckenberg moved, seconded by J. Thomas, to reopen the session at 10:47 a.m. Voting aye: Anderson, Bauer, Gaskill, Kucera, Sivers, Sneckenberg, J. Thomas, Wilwerding. Voting nay: None. Absent: Hinrichs, G. Thomas. Motion carried.

Hampton joined the meeting at 10:47 a.m.

APPLICATION REVIEW – OPEN SESSION

Dental Hygiene Application(s)

Anderson moved, seconded by Gaskill, to recommend issuing a dental hygiene license to Hannah Dolson upon meeting all requirements for licensure. Voting aye: Anderson, Bauer, Gaskill, Kucera, Sivers, Sneckenberg, J. Thomas, Wilwerding. Voting nay: None. Absent: Hinrichs, G. Thomas. Motion carried.

Dental Application(s)

Anderson moved, seconded by Sneckenberg, to recommend issuing a dental license to David Masters upon meeting all requirements for licensure. Voting aye: Anderson, Bauer, Gaskill, Kucera, Sivers, Sneckenberg, J. Thomas, Wilwerding. Voting nay: None. Absent: Hinrichs, G. Thomas. Motion carried.

Sneckenberg moved, seconded by J. Thomas, to recommend issuing a dental license to Wendy Vienneau upon meeting all requirements for licensure. Voting aye: Anderson, Bauer, Gaskill, Kucera, Sivers, Sneckenberg, J. Thomas, Wilwerding. Voting nay: None. Absent: Hinrichs, G. Thomas. Motion carried.

DENTAL HYGIENE REFRESHER COURSE BY IOWA WESTERN COMMUNITY COLLEGE

Anderson moved, seconded by J. Thomas, to approve the refresher course presented by Iowa Western Community College (IWCC). Voting aye: Anderson, Bauer, Gaskill, Kucera, Sivers, Sneckenberg, J. Thomas, Wilwerding. Voting nay: None. Absent: Hinrichs, G. Thomas. Motion carried.

Dental Hygiene Reinstatement Application(s)

Gaskill moved, seconded by Anderson, to recommend reinstating the dental hygiene license of Mattie Bertels. Voting aye: Anderson, Bauer, Gaskill, Kucera, Sivers, Sneckenberg, J. Thomas, Wilwerding. Voting nay: None. Absent: Hinrichs, G. Thomas. Motion carried.

DENTAL HYGIENE REMEDIAL COURSE(S)

Sneckenberg moved, seconded by J. Thomas, to recommend approval the remedial course presented by Central Community College. Voting aye: Anderson, Bauer, Kucera, Sivers, Sneckenberg, J. Thomas, Wilwerding. Voting nay: None. Absent: Hinrichs, G. Thomas. Abstained: Gaskill. Motion carried.

Dental Hygiene Reinstatement Application(s) Con't

Anderson moved, seconded by J. Thomas, to recommend reinstating the dental hygiene license of Tisha Fisher upon successful completion of the Central Community College remedial course and meeting the continuing education requirement. Voting aye: Anderson, Bauer, Gaskill, Kucera, Sivers, Sneckenberg, J. Thomas, Wilwerding. Voting nay: None. Absent: Hinrichs, G. Thomas. Motion carried.

Anderson moved, seconded by Sneckenberg, to recommend reinstating the dental hygiene license of Joanne Gilley once successfully completing the IWCC refresher course. Voting aye: Anderson, Bauer, Gaskill, Kucera, Sivers, Sneckenberg, J. Thomas, Wilwerding. Voting nay: None. Absent: Hinrichs, G. Thomas. Motion carried.

Dental Reinstatement Application(s)

No applications at this time.

LOCAL ANESTHESIA COURSE APPROVAL

Gaskill moved, seconded by Kucera, to deny the local anesthesia course given by the University of Colorado. The basis for the denial is that the course does not meet required length of time pursuant to 172 NAC 57-003.03 and 57-003.04. Voting aye: Anderson, Bauer, Gaskill, Kucera, Sivers, Sneckenberg, J. Thomas, Wilwerding. Voting nay: None. Absent: Hinrichs, G. Thomas. Motion carried.

DENTAL HYGIENE REMEDIAL COURSE(S) CON'T

Gaskill moved, seconded by Anderson, to recommend approval the remedial course presented by Iowa Western Community College (IWCC) for Kristen Lynan. Voting aye: Anderson, Bauer, Gaskill, Sivers, Sneckenberg, J. Thomas, Wilwerding. Voting nay: None. Absent: Hinrichs, G. Thomas. Abstained: Kucera. Motion carried.

Inhalation Analgesia Reinstatement Application(s)

Anderson moved, seconded by Bauer, to recommend reinstating the inhalation analgesia permit of Scott Green, DDS. Voting aye: Anderson, Bauer, Kucera, Sivers, Sneckenberg, J. Thomas, Wilwerding. Voting nay: Gaskill. Absent: Hinrichs, G. Thomas. Motion carried.

SUBCOMMITTEE REPORTS

Dental Anesthesia Subcommittee Report

The Board had nothing to discuss on this issue at this time.

Continuing Education Subcommittee Report

The Board had nothing to discuss on this issue at this time.

Nebraska Examination Review Subcommittee Report

The Board had nothing to discuss on this issue at this time.

CENTRAL REGIONAL DENTAL TESTING SERVICE (CRDTS) ISSUES

Committee Charters

Wilwerding explained the CRDTS Committee charter.

Steering Committee Report

Wilwerding submitted a written report. The Board did not have any concerns.

Dental Hygiene Examination Review Committee (DHERC) Report

Gaskill submitted a written report. The Board did not have any concerns. Gaskill mentioned that there was discussion regarding evidenced based investigations, credentialing of retiring licensee for the purpose of volunteering at events like Mission of Mercy, and there is a push to mandate taking continuing education courses in ethics for renewing one's credential.

Annual Meeting – August 20-22, 2015 in Kansas City, MO

Anderson, Gaskill, Kucera, Sivers, and Wilwerding expressed interest in attending. Staff will ask Hinrichs and G. Thomas. J. Thomas will let staff know by 7-20-15. Vierk will check to see if he can attend.

AMERICAN ASSOCIATION OF DENTAL BOARDS (AADB)

Mid-Year Meeting Report

Wilwerding did not submit a written report but requested that this be an agenda item for the October meeting.

AADB – Annual Meeting – November 3-4, 2015 in Washington, DC

Anderson, Gaskill, and Kucera expressed interest in attending this meeting.

AADB Citizen of the Year Nominations

The Board did not have any nominations at this time.

FEDERAL TRADE COMMISSION VS. NORTH CAROLINA DENTAL BOARD SUPREME COURT OPINION – HOW DOES THIS OPINION AFFECT NEBRASKA BOARDS

The Department explained in their memo to Nebraska Board's; that it would be prudent for boards to examine the process they follow when deciding whether to issue a cease-and-desist order. In the future, if your board is presented with an allegation of unauthorized practice, we recommend that the board consult closely with its legal counsel to determine the most appropriate manner in which to proceed. Hampton explained that the Department will not be issuing Cease and Desists letters. The Attorney General's office will be looking at each case individually to determine whether a Cease and Desist letter is warranted and does not go against the Supreme Court opinion.

LETTER TO IOWA WESTERN COMMUNITY COLLEGE REGARDING PUBLIC HEALTH AUTHORIZATION AND SUPERVISION

The Board reviewed the letter written to IWCC regarding public health authorization and supervision. Ms. Kelly Gould, Creighton University, will be requesting additional clarification regarding supervision of dental hygienist providing services authorized holding a public health authorization as part of the dental hygiene's program curriculum.

PUBLIC HEALTH AUTHORIZATION REPORTING FROM THE OFFICE OF ORAL HEALTH

Report from 2013

The Board had nothing to discuss on this issue at this time.

Report from 2014

The Board had nothing to discuss on this issue at this time.

ADJOURNMENT

Sneckenberg moved, seconded by Sivers, to adjourn the meeting at 12:07 a.m. Voting aye: Anderson, Bauer, Gaskill, Kucera, Sivers, Sneckenberg, J. Thomas, Wilwerding. Voting nay: None. Absent: Hinrichs, G. Thomas. Motion carried.

Respectfully submitted by,

Cynthia Gaskill, RDH, Secretary
Board of Dentistry